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10/565,312	02/23/2007	Steven Terrell Clontz	DR10-011	7384
21567	7590	07/08/2009	EXAMINER	
WELLS ST. JOHN P.S. 601 W. FIRST AVENUE, SUITE 1300 SPOKANE, WA 99201			HO, CHUONG T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/565,312	Applicant(s) CLONTZ ET AL.	
	Examiner CHUONG T. HO	Art Unit 2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/8/09; 10/23/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 03/17/09 have been entered and made of record.

Response to Arguments

2. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.
3. Claims 1-21 are pending.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 05/08/09; 10/23/06 was filed after the mailing date of the Non Final Rejection on 12/17/08. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al. (Pub. No.: 2002/0141384 A1) in view of Larger et al. (Pub. No: US 2001/0036259 A1).

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Regarding to claim 1, Liu '384 disclose capturing at a message server (figure 1, directory server) the IP address and port number (figure 1, database 19) of the computer (figure 1, P.N client 28 (ab), P.N client 28 (ba), Tel 31, Internet client 22a, 22b, 22c), assigning (correlates telephone number with IP address and port number) a phone number to the IP address and port number; storing the phone number assigned to the computer (figure 1, internet client), IP address of the computer and port number of the computer in a database (figure 1, directory server 18, database 19); and delivering the message together with the phone number to the mobile telecommunication device whereby a user of the mobile telecommunication device can send a response message to the computer (page 4, paragraph [0034] correlates telephone number with IP address and port number, paragraph [0035, the directory server determines the IP address and port number and assigns the telephone number).

However, Liu '384 are silent to disclosing accessing a web-site via a web browser installed on the computer, sending a message to a device message server from the web-site, and assigning temporary telephone number to the computer.

Larger '259 from the same or similar fields of endeavor disclose accessing a web-site via a web browser installed on the computer ([0035] access a web site via a web browser); sending a message to a device message server ([0035] [0037] management unit) from the web-site;

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assigning a temporary phone number ([0035] [0037] assigning a temporary call number to the user based on IP) to the computer based on IP address;
storing the temporary phone number assigned to the computer, the computer's IP address and port number in a database ([0037] an assignment of temporary call number to subscriber is stored in the database DB).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply accessing a web-site via a web browser installed on the computer, sending a message to a device message server from the web-site, and assigning temporary telephone number to the computer taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding claim 2, Liu '384 disclose the limitations of claim 1 above.
However, Liu '384 are silent to disclosing wherein a set number of temporary phone numbers are available for assignment by the message server .

Larger '259 from the same or similar fields of endeavor disclose wherein a set number of temporary phone numbers are available for assignment by the message server r ([0037] web browser, web server the user uses the web browser to access the web server), and assigning temporary telephone number to the computer ([0037] assignment of a temporary telephone phone number for routing the call request to the destination device).

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Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply wherein a set number of temporary phone numbers' are available for assigning. by the message server taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding to claim 3 , Liu '384 disclose capturing the receiving mobile telecommunication device number at the message server (page 4, paragraph [0033] [0034) correlates telephone number with IP address and port number, paragraph [0035, the directory server determines the IP address and port number and assigns the telephone number).

Regarding claim 4 , Liu '384 disclose the step of storing the receiving mobile telecommunication device number in the message server database (page 4, paragraph [0033] [0034) correlates telephone number with IP address and port number, paragraph [0035, the directory server determines the IP address and port number and assigns the telephone number).

Regarding to claim 5 , Liu '384 disclose wherein the phone number is assigned (correlates telephone number to IP address and port number) based on the IP address and port number of the computer and the receiving mobile telecommunication device number (page 4, paragraph [0033] [0034) correlates telephone number with IP address

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and port number, paragraph [0035, the directory server determines the IP address and port number and assigns the telephone number).

However, Liu '384 are silent to disclosing wherein the temporary phone number is assigned based on the IP address and port number of the computer.

Larger '259 from the same or similar fields of endeavor disclose wherein the temporary phone number is assigned the computer based on the IP address ([0037] assignment of a temporary call number for routing the call request to the destination mobile device).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply wherein a set number of temporary phone numbers' are available for assigning. by the message server taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding to claim 6 , Liu '384 disclose capturing the response message at the message server;

extracting from the response message the phone number, matching the using the database to match the phone number to a computer IP address and port number stored within said database, and forwarding the response message to the computer with the matching IP address and port number (page 4, paragraph [0034] [0035) correlates telephone number with IP address and port number, paragraph [0035, the directory server determines the IP address and port number and assigns the telephone number).

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However, Liu '384 are silent to disclosing assigning temporary phone number to the computer.

Larger '259 from the same or similar fields of endeavor disclose assigning temporary phone number to the computer ([0037] assignment of a temporary call number for routing the call request to the destination device).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply wherein a set number of temporary phone numbers' are available for assigning. by the message server taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding claim 7, Liu '384 disclose the step of at the message server capturing at the message server the mobile telecommunication device's number (page 4, paragraph [0034] [0035) correlates telephone number with IP address and port number, paragraph [0035, the directory server determines the IP address and port number and assigns the telephone number).

Regarding to claim 8, Liu '384 disclose the mobile telecommunications device's number in the database (page 4, paragraph [0034] [0035) correlates telephone number with IP address and port number, paragraph [0035, the directory server determines the IP address and port number and assigns the telephone number).

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Regarding claim 11, Liu '384 disclose a message server (figure 1, directory server 18) arranged to: capture an IP address and port number of a computer (figure 1, (P.N client 28 (ab), P.N client 28 (ba), Tel 31, Internet client 22a, 22b, 22c) sending a message to a mobile telecommunication device ((P.N client 28 (ab), P.N client 28 (ba), Tel 31, Internet client 22a, 22b, 22c), capture the message send by the computer; assign ([0034] [0035] correlates the IP address and port number with ten digit telephone number) a phone number to the IP address and port number of the computer, store the temporary phone number, IP address of the computer and port number of the computer in a database, and send the message to file mobile telecommunication device with the phone number (page 4, paragraph [0034] correlates telephone number with IP address and port number, paragraph [0035, the directory server determines the IP address and port number and assigns the telephone number).

However, Liu '384 are silent to disclosing sending a message to a mobile telecommunication device via a web site and assigning temporary telephone number.

Larger '259 from the same or similar of endeavor disclose receive a message from a computer sent via a web site for delivery to a mobile telecommunication device [0035] [0037] ; deliver a message to a mobile telecommunication device together with the temporary phone number; and assigning temporary call number to the IP address ([0035] [0037] web browser, web server the user uses the web browser to access the web server); store the temporary call number, IP address of the computer in a database; and deliver the message to the mobile telecommunication device together

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with the temporary call number; and receive a response message from the mobile telecommunication device to the computer based on the received temporary call number assigned to the IP address ([0037] assignment of a temporary call number for routing the call request to the destination device).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply wherein a set number of temporary phone numbers' are available for assigning. by the message server taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding to claim 12, Liu '384 disclose the limitations of claim 11 above.

However, Liu '384 are silent to disclosing wherein the web site is provided by a telecommunication service provider.

Larger '259 from the same or similar fields of endeavor disclose wherein the web site is provided by a telecommunication service provider ([0035] web browser, web server the user uses the web browser to access the web server) ([0037] assignment of a temporary call number for routing the call request to the destination device).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply wherein a set number of temporary phone numbers' are available for assigning. by the message server taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding claim 13, Liu '384 disclose the limitations of claim 11 above.

However, Liu '384 are silent to disclosing wherein a set number of temporary phone numbers are available for assigning by the message server.

Larger '259 from the same or similar fields of endeavor disclose wherein a set number of temporary phone numbers are available for assigning by the message server ([0037] assignment of a temporary call number for routing the call request to the destination device).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply wherein a set number of temporary phone numbers' are available for assigning. by the message server taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding to claim 14, Liu '384 disclose wherein the said message server is further arranged to capture the mobile telecommunication device's number ([0034] [0035] capture the message send by the computer ; correlates the IP address and port number with ten digit telephone number correlates the IP address and port number with ten digit telephone number).

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Regarding to claim 15, Liu '384 disclose wherein said messa.qe server is further arranged to store the mobile telecommunication device's number in the database (figure 1, [0035] Directory Server 18).

Regarding to claim 16, Liu '384 disclose wherein said message server is further arranged to assign the phone number based on the IP address and port number of the computer and the receiving mobile telecommunication device's number [0034].

However, Liu '384 are silent to disclosing wherein said messa.qe server is further arranged to assign the temporary phone number based on the IP address and port number of the computer.

Larger '259 from the same similar fields of endeavor disclose wherein said messa.qe server is further arranged to assign the temporary phone number based on the IP address [0009].

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply wherein said messa.qe server is further arranged to assign the temporary phone number based on the IP address and port number of the computer taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding to claim 17, Liu '384 disclose wherein the said message server is further arranged to capture the response message that upon receipt of a message from a the

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mobile telecommunication device number of extract the phone numberT;_ to match the phone number to a the IP address and port number of the computer stored within said database; and forward the response message to the computer with the matching IP address and port number [0034].

However, Liu '384 are silent to disclosing match the temporary phone number to a the IP address and port number of the computer stored within said database;

Larger '259 from the same or similar fields of endeavor disclose match the temporary phone number to a the IP address and port number of the computer stored within said database [0029].

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply match the temporary phone number to a the IP address and port number of the computer stored within said database taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

Regarding to claim 18, Liu '384 disclose wherein said message server is further arranged to capture the receiving mobile telecommunication device's number and store the mobile telecommunication device's number in the database (figure 1, [0034]).

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Regarding to claim 19, Liu '384 disclose matching the phone number to a computer IP address and port number and the receiving mobile telecommunication device's number stored in the database (figure 1, directory server 18, [0034]).

However, Liu '384 are silent to disclosing the temporary phone number to a computer IP address and port number.

Larger '259 from the same or similar fields of endeavor disclose matching the temporary phone number to a computer IP address [0035].

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply match the temporary phone number to a the IP address of the computer stored within said database taught by Larger '259 into the system of Liu '384, since Larger '259 recited the motivation in the paragraph [0011] that the service user can use the temporary call number to advertise a car or property in the newspaper.

3. Claims 9-10, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system (Liu '384 - Larger '259) in view of Deo et al. (Pub. No.: US 2002/0046343 A1).

Regarding to claim 9, the combined system (Liu '384 - Larger '259) disclose the limitations of claim 1 above.

However, the combined system (Liu '384 - Larger '259) are silent to disclosing the step of sending an acknowledgement message to the web site when a the message is received by the message server.

Deo '343 from the same or similar fields of endeavor disclose the step of sending an acknowledgement message to the web site when a the message is received by the message server ([0287] desktop computer is provide with a web browser, the acknowledgement message is transmitted back to the originator 'server' when the web browser to establish an Internet connection with the originator 'server').

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the step of sending an acknowledgement message to the web site when a the message is received by the message server taught by Deo '343 into the combined system (Liu '384 - Larger '259); since Deo '343 recited the motivation in the paragraph [0015] their is way for a sender to know that the programming message was actually received successfully by desired pager.

Regarding to claim 10, the combined system (Liu '384 - Larger '259) disclose the limitations of claim 1 above.

However, the combined system (Liu '384 - Larger '259) are silent to disclosing the message server sends posts a message to the web browser informing the user of the web browser that to receive a response from the mobile telecommunications device the web browser must remain open.

Deo '343 from the same or similar fields of endeavor disclose the message server sends posts a message to the web browser informing the user of the web browser that to receive a response from the mobile telecommunications device the web browser

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must remain open ([0016] an acknowledgement which the mobile device can acknowledge).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the message server sends posts a message to the web browser informing the user of the web browser that to receive a response from the mobile telecommunications device the web browser must remain open taught by Deo '343 into the combined system (Liu '384 - Larger '259); since Deo '343 recited the motivation in the paragraph [0015] their is way for a sender to know that the programming message was actually received successfully by desired pager.

Regarding to claim 20, claim 20 is rejected the same reasons of claim 9 above.

Regarding to claim 21, claim 21 is rejected the same reasons of claim 10 above.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571)272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sheikh Ayaz can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2419

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